

Application No. 09/899,789
Amdt. Dated February 5, 2004
Reply to Office Action of September 5, 2003

Amendment to the Claims:

1. (Currently Amended) A system for the convenient dispensing of a semi-solid comestible from a hermetically sealed container, comprising:

(a) a substantially unitary cylindrical sleeve formed of a substantially rigid material, said sleeve defined about a longitudinal axis having first and second ends thereof;

(b) a first base formed of a substantially rigid material, said base defined by a radial cross-section of said sleeve, the periphery of said base secured in integral communication with said sleeve proximally to said first end of said axis thereof; wherein said first base can be selectively separated from said sleeve;

(c) ~~means for enabling a selectable separation of said first base from said sleeve~~ a circumferential seal around said first base and said first end of said sleeve which enables said container to be hermetically sealed;

(d) a quantity of ~~said a~~ comestible disposed within said sleeve and against said first base and being difficult to empty from said sleeve by the use of a spoon or fork;

(e) a wafer-like piston ~~having a width in a range of about one to about five centimeters~~ being disposed co-axially within said sleeve upon a side of said comestible opposite said first base, and said piston further disposed in press-slidable complementary relationship to interior walls of said sleeve;

(f) a second base formed of a substantially rigid material at said second end of said sleeve axis, ~~having a periphery substantially complementary to an~~

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~~opposing periphery of said sleeve, and secured in substantially fluid tight relationship, said second base defined by a radial cross-section of said sleeve, the periphery of said second base secured in integral communication with said sleeve proximally to said second end of said axis thereof and wherein said second base can be selectively separated from said sleeve and said wafer-like piston being disposed adjacent to said second base; and~~

~~(g) means for selectable release of the periphery of said second base from said sleeve a circumferential seal around said second base and said second end of said sleeve which enables said container to be hermetically sealed; and~~

~~wherein the system is hermetically sealed when both first base and second base are attached to said unitary cylindrical sleeve to ensure bacterial integrity of the contents of the can.~~

2. (Original) The system as recited in claim 1, in which said second base comprises a foil-like or metallic material.
3. (Original) The system as recited in claim 1, in which said sleeve comprises a metal or alloy thereof.
4. (Original) The system as recited in claim 1, in which said piston comprises a polymeric material.
5. (Original) The system as recited in claim 3, in which said piston comprises a polymeric material.
6. (Original) The system as recited in claim 4, in which said sleeve comprises a polymeric material having an annular width of at least 0.5 centimeters.

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7. (Original) The system as recited in claim 4, in which each of said bases comprise a polymeric material.

8. (Original) The system as recited in claim 1 in which: said sleeve includes a plurality of longitudinal channels within an interior surface thereof disposed co-axially about said axis; and said piston comprises a plurality of axial protrusions each complementary to a corresponding one of said longitudinal channels within said sleeve.

9. (Original) The system as recited in claim 5, in which said second base comprises a foil-like or metallic material.

10. (Original) The system as recited in claim 7, in which said sleeve comprises a metal or alloy thereof.

11. (Withdrawn) A system for the convenient discharge of a non-liquid comestible from a container, comprising: (a) a substantially unitary cylindrical sleeve formed of a substantially rigid material, said sleeve defined about a longitudinal axis, having first and second ends thereof; (b) a first base formed of a substantially rigid material, said base defined by a radial cross-section of said sleeve, a periphery of said base secured in integral communication with said sleeve proximally to said first end of said axis thereof; (c) a quantity of said comestible disposed within said sleeve about said axis and against said first base; (d) a wafer-like piston disposed co-axially with said sleeve, an interior base of said piston in contact with said comestible, said piston disposed in press-slidable complementary relationship to an interior surface of said sleeve, said piston secured in fluid tight relationship to said opposing sleeve periphery; and (e) between said sleeve proximally to said second

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end of said axis, means for manual release of said piston from said sleeve.

12. (Withdrawn) The system as recited in claim 11 in which said manual release means comprises a scored circumference.